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2624  
161

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of

Koji NAKAMURA, et al.

Serial No.: 09/624,916

Group Art Unit: 2624

Filed: July 24, 2000

Examiner: Tran, Douglas Q.

For: APPARATUS AND METHOD FOR DESIGNING COMMUNICATION  
PATHS OF TREE STRUCTURE

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450

**PETITION FOR NEW OFFICE ACTION UNDER 37 C.F.R. 1.181 AND  
WITHDRAWAL OF HOLDING OF ABANDONMENT**

Sir:

In response to the abandonment of the above-identified application, and in accordance with Delgar, Inc., v. Schuyler (172 USPQ 513) (DDC 1971) and MPEP § 711.03(c), page 700-92, second column (Ed. 7, July 1998), Applicants hereby petition for a new Office Action and for withdrawal of the holding of abandonment.

After a routine file review due to inactivity of this matter, a Status Inquiry and a Change of Address were filed in the Patent Office on November 16, 2004 (Exhibit 1).

A follow-up status search on our newly activated access to the private PAIR system performed on November 23, 2004, indicated that a Notice of Abandonment was allegedly mailed on October 19, 2004, and that the file was abandoned "for Failure to Respond to Office Action." The File History on the PAIR system (Exhibit 2) indicates that a Non-Final Rejection was mailed on January 5, 2004. The File History also reflects a Correspondence Address Change on September 18, 2000 and September 25, 2000. However, Applicants

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have not received any communication from the U.S. Patent and Trademark Office (PTO)  
since receipt of the Recordation of Assignment on January 12, 2001.

Accompanying this Petition is the Declaration of Mary C. Gibb, Manager of the Docketing Department in the undersigned's law firm. As set forth in that Declaration, Ms. Gibb, in her capacity as Manager of the Docketing Department, is intimately familiar with all of the details regarding the processing of mail received in the Docketing Department, including correspondence received from the PTO. Attached to the Declaration is supporting documentation (Exhibits A and B) showing that no Office Action in the subject application was processed by the Docketing Department or received by the undersigned's law firm.

Further, attached as Exhibit C to the Declaration of Ms. Gibb is a copy of the front cover of the subject application file jacket maintained by the undersigned's law firm. It should be noted that the file jacket cover shows the chronological sequence of correspondence between the undersigned's law firm and the PTO. As noted on the cover, the application was filed on July 24, 2000, with Declaration. There is no indication of receipt of any Office Action by the undersigned's law firm.

Exhibits A and B are copies of the docket record showing all actions due by the firm of McGinn & Gibb, PLLC, at and around the alleged due date of April 20, 2004, and Exhibit C is the file jacket cover. This evidence is acceptable proof of non-receipt as provided by 1156 O.G. 53.

It is noted that change of address forms for our customer number were filed on October 24, 2000, October 31, 2000, November 13, 2001, and March 27, 2002, copies of which are attached hereto as Exhibits 3-6, as well as copies of two follow-up

acknowledgments received from the PTO, dated October 25, 2000, and November 16, 2001, respectively (Exhibits 7 and 8).

Further, a 89-page Correspondence Address Indication Form listing applications being handled by this firm and linking our Customer No. 21254 with our current address (8321 Old Courthouse Road, Suite 200, Vienna, VA 22182-3817) was filed in the PTO on December 4, 2003. A copy of the page of said Form which included the above-identified application and a copy of the stamped postcard filing receipt are attached as Exhibit 9.

It is also noted that numerous Change of Address Orders have been filed with the U.S. Postal Service. The most recent Change of Address Order prepared on October 8, 2003 (Exhibit 10), was effective until November 2004, and receipt thereof was confirmed by the Postal Service.

The undersigned has been associated with McGinn & Gibb, PLLC, for a number of years, and in that time has been able to rely on the performance of the Docketing Department to provide conscientious, reliable, and competent notice of due dates for responses to correspondence received from the PTO. Based on the undersigned's familiarity with the good work performed by the employees of the Docketing Department, it is respectfully submitted that the only reasonable conclusion is that no Office Action was ever received by the undersigned's law firm for the above-identified application.

Further, in accordance with MPEP § 707.13, if the Office Action was mailed to our former address and returned to the PTO, the Examiner should have used "every reasonable means to ascertain the correct address and forward the action again." The Examiner could have quickly ascertained the correct address in a number of ways including, but not limited

Docket No. FJ-2000-009-US  
Application Serial No. 09/624,916  
MAS.002

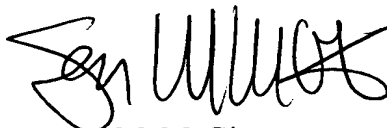
4

to, the associated customer number and the undersigned's registration number. In addition, the inventors and/or assignee were not informed of the returned action.

Pursuant to the above-noted association with Customer No. 21254, numerous changes of address for the customer number, numerous changes of address with the Postal Service, and detailed description of docket record provided in the Declaration of Ms. Gibb and copy of file jacket cover, which are believed to satisfy fully the requirements set forth in MPEP § 711.03(c) and 1156 O.G. 53, and the lack of adherence to MPEP § 707.13, Applicants respectfully request that a new Office Action be sent in the subject application and that the holding of abandonment be withdrawn.

Since this error is due to the U.S. Patent and Trademark Office, no fee is believed necessary. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully submitted,



Sean M. McGinn  
Registration No. 34,386

Date: \_\_\_\_\_

12/03/04

**McGinn & Gibb, PLLC**  
8321 Old Courthouse Rd., Suite 200  
Vienna, Virginia 22182-3817  
(703) 761-4100  
**Customer No. 21254**



Serial Number: 091624,916 MAS 002  
Attorney's Post Card Filing Receipt  
Papers Filed On: 11/16/04

Attorney's Docket Number: FJ-2010-009-US ☒ Patent ☐ Trademark

Applicant's Name: Nakamura et al. Application Filing Date: 07/24/00  
Papers Filed Herewith:

- ☐ Amendment ☐ Request for Extension of Time ☐ CPA Request  
☐ Notice of Appeal ☐ Appeal Brief (in triplicate) ☐ Reply Brief  
☐ IDS ☐ 1449 Form w/ \_\_\_ Documents ☐ Priority Document(s)  
☐ Assignment ☐ Recordation Cover Sheet ☐ Formal Drawings  
☐ Drawing Corrections ☐ Issue Fee Transmittal ☐ Missing Parts  
☒ Other Notice of Change of Address; Status Inquiry

Fees Filed Herewith: \$ \_\_\_\_\_ ☐ Check ☐ Charge Deposit Account: \_\_\_\_\_

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SMM/RI MAS 002

Serial Number: 091624,916  
Attorney's Post Card Filing Receipt  
Papers Filed On: 11/16/04

Attorney's Docket Number: FJ-2010-009-US ☒ Patent ☐ Trademark

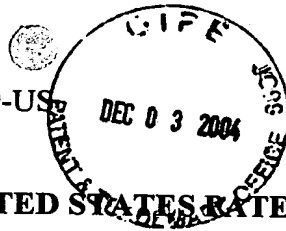
Applicant's Name: Nakamura et al. Application Filing Date: 07/24/00  
Papers Filed Herewith:

- ☐ Amendment ☐ Request for Extension of Time ☐ CPA Request  
☐ Notice of Appeal ☐ Appeal Brief (in triplicate) ☐ Reply Brief  
☐ IDS ☐ 1449 Form w/ \_\_\_ Documents ☐ Priority Document(s)  
☐ Assignment ☐ Recordation Cover Sheet ☐ Formal Drawings  
☐ Drawing Corrections ☐ Issue Fee Transmittal ☐ Missing Parts  
☒ Other Notice of Change of Address; Status Inquiry

Fees Filed Herewith: \$ \_\_\_\_\_ ☐ Check ☐ Charge Deposit Account: \_\_\_\_\_

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Docket No. FJ-2000-009-US  
(MAS.002)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of  
Koji NAKAMURA, et al.

Serial No.: 09/624,916

Group Art Unit: 2782

Filed: July 24, 2000

Examiner: Unknown

For: IMAGE INPUTTING AND OUTPUTTING APPARATUS

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450

**NOTICE OF CHANGE OF ADDRESS**

Sir:

Please be advised that the correspondence address of attorneys of record in the above-identified application has been changed to:

McGinn & Gibb, PLLC  
8321 Old Courthouse Road, Suite 200  
Vienna, Virginia 22182-3817  
(703) 761-4100  
Customer No. 21254

Please change the records in regard to the above-identified application accordingly and direct all telephone calls to the number shown above.

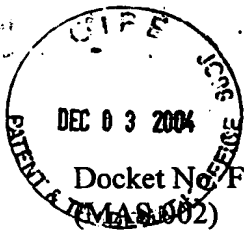
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sean McGinn".

Sean M. McGinn  
Registration No. 34,386

Date: 11/16/04

**McGinn & Gibb, PLLC**  
Intellectual Property Law  
8321 Old Courthouse Road, Suite 200  
Vienna, Virginia 22182-3817  
(703) 761-4100  
**Customer No. 21254**



Docket No. FJ-2000-009-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Koji NAKAMURA, et al.

Serial No.: 09/624,916

Group Art Unit: 2782

Filing Date: July 24, 2000

Examiner: Unknown

For: IMAGE INPUTTING AND OUTPUTTING APPARATUS

Honorable Commissioner of Patents  
Alexandria, Virginia 22313-1450

**STATUS INQUIRY**

Sir:

Please advise the undersigned of the status of the above application as soon as possible.

Respectfully submitted,

Sean M. McGinn  
Registration No. 34,386

Date: 11/16/04

**McGinn & Gibb, PLLC**  
8321 Old Courthouse Road, Suite 200  
Vienna, Virginia 22182-3817  
(703) 761-4100  
**Customer No. 21254**



United States Patent and Trademark Office

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**PATENT APPLICATION INFORMATION RETRIEVAL**


Search results as of: 11-23-2004::16:12:49 E.T.

| Search results for application number: 09/624,916 |  |                            |   |
|---|--|----------------------------|---|
| Application Number:                               | 09/624,916                               | Customer Number:           | 21254   |
| Filing or 371(c) Date:                            | 07-24-2000                               | Status:                    | Abandoned -- Failure to Respond to an Office Action |
| Application Type:                                 | Utility                                  | Status Date:               | 10-18-2004  |
| Examiner Name:                                    | TRAN, DOUGLAS Q                          | Location:                  | FILE REPOSITORY (FRANCONIA)                         |
| Group Art Unit:                                   | 2624                                     | Location Date:             | 10-20-2004  |
| Confirmation Number:                              | 5707                                     | Earliest Publication No:   | -   |
| Attorney Docket Number:                           | FJ-2000-009-US                           | Earliest Publication Date: | -   |
| Class/ Sub-Class:                                 | 358/001.15                               | Patent Number:             | -   |
| First Named Inventor:                             | Koji Nakamura, Tokyo, (JP)               | Issue Date of Patent:      | -   |
| Title Of Invention:                               | Image inputting and outputting apparatus |                            |   |

## Search Options

|   |
|---|
| <input type="checkbox"/> Assignments        |
| <input type="checkbox"/> Display References |
| <input type="checkbox"/> Foreign Priority   |

## File History

| Date       | Contents Description   |
|------------|--|
| 10-19-2004 | Mail Abandonment for Failure to Respond to Office Action           |
| 10-18-2004 | Abandonment for Failure to Respond to Office Action                |
| 09-17-2004 | Correspondence Address Change                                      |
| 01-20-2004 | Mail Notice of Restarted Response Period                           |
| 01-20-2004 | Letter Restarting Period for Response (i.e. Letter re: References) |
| 01-05-2004 | Mail Non-Final Rejection   |
| 12-29-2003 | Non-Final Rejection  |
| 12-29-2003 | Case Docketed to Examiner in GAU                                   |
| 01-30-2002 | Case Docketed to Examiner in GAU                                   |
| 01-30-2002 | Case Docketed to Examiner in GAU                                   |
| 01-30-2002 | Case Docketed to Examiner in GAU                                   |
| 01-30-2002 | Case Docketed to Examiner in GAU                                   |
| 01-17-2002 | Case Docketed to Examiner in GAU                                   |



|                   |   |
|-------------------|---|
| <b>03-23-2001</b> | <b>Case Docketed to Examiner in GAU</b>                               |
| <b>07-24-2000</b> | <b>Request for Foreign Priority (Priority Papers May Be Included)</b> |
| <b>07-24-2000</b> | <b>Information Disclosure Statement (IDS) Filed</b>                   |
| <b>09-26-2000</b> | <b>Application Dispatched from OIPE</b>                               |
| <b>09-25-2000</b> | <b>Correspondence Address Change</b>                                  |
| <b>09-25-2000</b> | <b>Correspondence Address Change</b>                                  |
| <b>09-18-2000</b> | <b>Correspondence Address Change</b>                                  |
| <b>08-15-2000</b> | <b>IFW Scan &amp; PACR Auto Security Review</b>                       |
| <b>07-24-2000</b> | <b>Initial Exam Team nn</b>   |

Sum: up

Attorney's Post Card Filing Receipt

Hand Delivered

Serial Number:   /  /  

Papers Filed On: 10/24/00

Attorney's Docket Number:                     

☐ Patent

☐ Trademark

Applicant's Name:                                     

Application Filing Date:   /  /  

Papers Filed Herewith:

☐ Amendment

☐ Request for Extension of Time

☐ CPA Request

☐ Notice of Appeal

☐ Appeal Brief (in triplicate)

☐ Reply Brief

☐ IDS

☐ 1449 Form w/    Documents

☐ Priority Document(s)

☐ Assignment

☐ Recordation Cover Sheet

☐ Formal Drawings

☐ Drawing Corrections

☐ Issue Fee Transmittal

☐ Missing Parts

☒ Other Request for Customer Number Data Change

Fees Filed Herewith: \$            ☐ Check ☐ Charge Deposit Account:           

Sum: up

Attorney's Post Card Filing Receipt

Hand Delivered

Serial Number:   /  /  

Papers Filed On: 10/24/00

Attorney's Docket Number:                     

☒ Patent

☐ Trademark

Applicant's Name:                                     

Application Filing Date:   /  /  

Papers Filed Herewith:

☐ Amendment

☐ Request for Extension of Time

☐ CPA Request

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☐ Priority Document(s)

☐ Assignment

☐ Recordation Cover Sheet

☐ Formal Drawings

☐ Drawing Corrections

☐ Issue Fee Transmittal

☐ Missing Parts

☒ Other Request for Customer Number Data Change

Fees Filed Herewith: \$            ☐ Check ☐ Charge Deposit Account:           



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**SUBMISSION OF  
REQUEST FOR CUSTOMER NUMBER CHANGE**

Assistant Commissioner for Patents  
BOX CN  
Washington, D.C. 20231

Sir:

Submitted herewith is a Request for Customer Number Data Change for Customer  
Number 21254.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sean M. McGinn", with a stylized flourish at the end.

Sean M. McGinn  
Registration No. 34,386

Date: 10/24/00  
McGinn & Gibb, P/C.  
Intellectual Property Law  
1701 Clarendon Boulevard, Suite 100  
Arlington, Virginia 22209  
(703) 294-6699  
Customer No. 21254

Please type a plus sign (+) inside this box →



PTO/SB/124A (09-00)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## Request for Customer Number Data Change

### Address to:

Assistant Commissioner for Patents  
Box CN  
Washington, DC 20231

To the Commissioner of Patents and Trademarks:  
Please record the following data changes to Customer Number:



**021254**

PATENT/006111 MARK OFFICE

Type Customer Number here **21254**

☒ Please change Correspondence Address to:

|                         |                          |       |     |                |       |
|-------------------------|--------------------------|-------|-----|----------------|-------|
| Firm or Individual Name | McGinn & Gibb, PLLC      |       |     |                |       |
| Address                 | 8321 Old Courthouse Road |       |     |                |       |
| Address                 | Suite 200                |       |     |                |       |
| City                    | Vienna                   | State | VA  | ZIP            | 22182 |
| Country                 | USA                      |       |     |                |       |
| Telephone               | (703) 761-4100           |       | Fax | (703) 761-2375 |       |

☐ Please delete the following practitioner registration number(s) from the Customer Number indicated above:

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☐ Please add the following practitioner registration number(s) to the Customer Number indicated above:

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☐ Additional practitioner registration numbers are listed on supplemental sheet(s) attached hereto

### Request Submitted by:

|                                   |                     |               |
|-----------------------------------|---------------------|---------------|
| Firm Name (if applicable)         | McGinn & Gibb, PLLC |               |
| Name of Person submitting request | Sean M. McGinn      |               |
| Signature                         |                     |               |
| Telephone Number                  | (703) 761-4100      | Date 10/24/00 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CN, Washington, DC 20231.

**CHANGE OF ADDRESS  
FOR  
REGISTERED PATENT ATTORNEYS AND AGENTS**

Please use this form to update your correspondence/business and home addresses. The correspondence/business address provided will be the only address posted in the Roster of Agents and Attorneys, unless you indicate otherwise. This address update form must be signed by the attorney or agent and include the registration number.

|   |                        |                              |  |
|---|------------------------|------------------------------|--|
| <b>NAME</b> (last, first, middle name or initial)<br><br>Mr. Sean M. McGinn, Esq.<br><br>Ms.  |                        |                              | <b>REGISTRATION NUMBER (Required)</b><br><br>34,386                              |
| <b>CORRESPONDENCE / BUSINESS NAME</b> (employer, corporation, law firm, or U.S. Government agency, etc.)<br><br>McGinn & Gibb, PLLC |                        |                              |  |
| <b>CORRESPONDENCE / BUSINESS ADDRESS</b> (street, building, suite, etc.)<br><br>8321 Old Courthouse Road<br>Suite 200               |                        |                              |  |
| <b>CITY</b><br><br>Vienna   | <b>STATE</b><br><br>VA | <b>ZIP CODE</b><br><br>22182 | <b>CORRESPONDENCE / BUSINESS TELEPHONE</b><br><br>(703) 761-4100<br><br>(      ) |
| <b>HOME ADDRESS</b><br><br><br><br><br>   |                        |                              |  |
| <b>CITY</b>   | <b>STATE</b>           | <b>ZIP CODE</b>              | <b>HOME TELEPHONE</b><br><br>(      )  |

This address change is only for the roster of Attorneys and Agents and will not change the address of any applications in the patent process.

**Note:** US Government employees must list their agency address as their correspondence address.

If you have any questions regarding your address of record in the Office of Enrollment and Discipline, please call (703) 306-4097

  
Signature of Registered Attorney or Agent (Required)

10/24/00  
Date

TRANSMISSION VERIFICATION REPORT

TIME : 10/24/2000 13:40  
NAME : MCGINN AND GIBB PC  
FAX : 17032946696  
TEL : 17032946699

DATE, TIME  
FAX NO./NAME  
DURATION  
PAGE(S)  
RESULT  
MODE

10/24 13:39  
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02  
OK  
FINE  
ECM

**LAW OFFICES OF  
McGINN & GIBB, PLLC**

A PROFESSIONAL LIMITED LIABILITY COMPANY  
PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW  
8321 OLD COURTHOUSE ROAD, SUITE 200  
VIENNA, VIRGINIA 22182-3817  
TELEPHONE: (703) 761-4100  
FACSIMILE/DATA: (703) 761-2375; 761-2376  
E-MAIL: MCGINNGIBB @ AOL.COM

SEAN M. MCGINN  
FREDERICK W. GIBB, III  
PHILLIP E. MILLER\*  
FREDERICK E. COOPERRIDER\*  
\*(MEMBER OF BAR OTHER THAN VA)

October 31, 2000

**VIA FACSIMILE**

Commissioner of Patents and Trademarks  
Box CN  
Washington, DC 20231

Re: Address Correction  
Customer No. 21254

Sir:

Please correct the mailing address for the above-identified customer number as follows:

McGinn & Gibb, PLLC  
8321 Old Courthouse Road, Suite 200  
Vienna, VA 22182-3817

Respectfully submitted,



Sean M. McGinn, Esq.  
Reg. No. 34,386

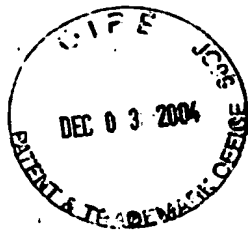
TRANSMISSION VERIFICATION REPORT

TIME : 10/31/2000 13:20  
NAME : MCGINN AND GIBB PC  
FAX : 17032946696  
TEL : 17032946699

DATE, TIME  
FAX NO./NAME  
DURATION  
PAGE(S)  
RESULT  
MODE

10/31 13:19  
7033082840  
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01  
OK  
STANDARD  
ECM





smm/wdc

**Attorney's Post Card Filing Receipt**

Serial Number:            Papers Filed On: 11/13/01

Attorney's Docket Number:            ☐ Patent ☐ Trademark

Applicant's Name:            Application Filing Date:     /    /    

Papers Filed Herewith:           

☐ Amendment ☐ Request for Extension of Time ☐ CPA Request

☐ Notice of Appeal ☐ Appeal Brief (in triplicate) ☐ Reply Brief

☐ IDS ☐ 1449 Form w/      Documents ☐ Priority Document(s)

☐ Assignment ☐ Recordation Cover Sheet ☐ Formal Drawings

☐ Drawing Corrections ☐ Issue Fee Transmittal ☐ Missing Parts

☒ Other Request for Customer Number Date Charge

Fees Filed Herewith: \$            ☐ Check ☐ Charge Deposit Account:           

Hand Delivered

smm/wdc

**Attorney's Post Card Filing Receipt**

Serial Number:            Papers Filed On: 11/13/01

Attorney's Docket Number:            ☐ Patent ☐ Trademark

Applicant's Name:            Application Filing Date:     /    /    

Papers Filed Herewith:           

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☐ Drawing Corrections ☐ Issue Fee Transmittal ☐ Missing Parts

☒ Other Request for Customer Number Date Charge

Fees Filed Herewith: \$            ☐ Check ☐ Charge Deposit Account:

**LAW OFFICES OF**  
**McGINN & GIBB, PLLC**  
A PROFESSIONAL LIMITED LIABILITY COMPANY  
PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW  
8321 OLD COURTHOUSE RD. SUITE 200  
VIENNA, VA 22182-3817  
TELEPHONE: (703) 761-4100  
FACSIMILE/DATA: (703) 761-2375; 761-2376  
E-MAIL: MCGINNGIBB @ AOL.COM

SEAN M. MCGINN  
FREDERICK W. GIBB, III  
PHILLIP E. MILLER†  
FREDERICK E. COOPERRIDER†  
MATTHEW G. DYOR  
MOHAMMAD S. RAHMAN †  
PETER A. BALNAVE, Ph.D.  
LAWRENCE A. SCOTT †  
CHRISTOPHER M. MCGINN\*  
† Other Than Virginia Bar Member  
\* Patent Engineer (Non-attorney)

**CONFIRMATION**

November 13, 2001

Assistant Commissioner of Patents  
Box CN,  
Washington, D.C. 20231

**VIA FACSIMILE & HAND DELIVERED**

**NOTICE OF CHANGE OF ADDRESS**

Re: Third Request  
Address Correction  
Customer No. 21254

Sir:

Further to our previous requests, Please again correct the mailing address for the above-identified customer number as follows:

McGINN & GIBB, PLLC  
8321 OLD COURTHOUSE RD.  
SUITE 200  
VIENNA, VA 22182-3817  
(703) 761-4100  
Customer No.: 21254

Respectfully submitted,



Sean M. McGinn  
Registration No. 34,386

Please type a plus sign (+) inside this box →



PTO/SB/124A (08-00)  
Approved for use through 10/31/2002. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## Request for Customer Number Data Change

### Address to:

Assistant Commissioner for Patents  
Box CN  
Washington, DC 20231

To the Commissioner of Patents and Trademarks:  
Please record the following data changes to Customer Number:



Type Customer Number here

21254

021254

PATENT OFFICE

☒ Please change Correspondence Address to:

Firm or  
Individual  
Name

McGinn & Gibb, PLLC

Address

8321 Old Courthouse Road

Address

Suite 200

City

Vienna

State

VA

ZIP

22182

Country

USA

Telephone

(703) 761-4100

Fax

(703) 761-2375

☐ Please delete the following practitioner registration number(s) from the Customer Number indicated above:

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

☐ Please add the following practitioner registration number(s) to the Customer Number indicated above:

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  |  |
|  |  |  |  |  |

☐ Additional practitioner registration numbers are listed on supplemental sheet(s) attached hereto

### Request Submitted by:

Firm Name (if applicable)

McGinn & Gibb, PLLC

Name of Person  
submitting request

Sean M. McGinn

Signature

Telephone Number

(703) 761-4100

Date

11/13/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CN, Washington, DC 20231.

TRANSMISSION VERIFICATION REPORT

TIME : 11/13/2001 17:51  
NAME :  
FAX :  
TEL :

DATE, TIME  
FAX NO./NAME  
DURATION  
PAGE(S)  
RESULT  
MODE

11/13 17:51  
7033082840  
00:00:34  
02  
OK  
STANDARD  
ECM

*smm/wdc*

Attorney's Post Card Filing Receipt

Serial Number:      /      /     

Papers Filed On: 03/27/02

Attorney's Docket Number:                     

☐ Patent

☐ Trademark

Applicant's Name:                                     

Application Filing Date:      /      /     

Papers Filed Herewith:

☐ Amendment

☐ Request for Extension of Time

☐ CPA Request

☐ Notice of Appeal

☐ Appeal Brief (in triplicate)

☐ Reply Brief

☐ IDS

☐ 1449 Form w/      Documents

☐ Priority Document(s)

☐ Assignment

☐ Recordation Cover Sheet

☐ Formal Drawings

☐ Drawing Corrections

☐ Issue Fee Transmittal

☐ Missing Parts

☒ Other Report for Customer Number Data Change

Fees Filed Herewith: \$              ☐ Check ☐ Charge Deposit Account:             

Hand Delivered

*smm/wdc*

Attorney's Post Card Filing Receipt

Serial Number:      /      /     

Papers Filed On: 03/27/02

Attorney's Docket Number:                     

☐ Patent

☐ Trademark

Applicant's Name:                                     

Application Filing Date:      /      /     

Papers Filed Herewith:

☐ Amendment

☐ Request for Extension of Time

☐ CPA Request

☐ Notice of Appeal

☐ Appeal Brief (in triplicate)

☐ Reply Brief

☐ IDS

☐ 1449 Form w/      Documents

☐ Priority Document(s)

☐ Assignment

☐ Recordation Cover Sheet

☐ Formal Drawings

☐ Drawing Corrections

☐ Issue Fee Transmittal

☐ Missing Parts

☒ Other Report for Customer Number Data Change

Fees Filed Herewith: \$              ☐ Check ☐ Charge Deposit Account:             

Hand Delivered

**LAW OFFICES OF  
McGINN & GIBB, P.C.**

A PROFESSIONAL LIMITED LIABILITY COMPANY  
PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW  
8321 OLD COURTHOUSE ROAD, SUITE 200  
VIENNA, VA 22182  
TELEPHONE: (703) 761-4100  
FACSIMILE/DATA: (703) 761-2375; 2376  
E-MAIL: McGINNGIBB@AOL.COM

SEAN M. MCGINN  
FREDRICK W. GIBB, III  
PHILLIP E. MILLERT  
FREDERICK E. COOPERRIDER†  
MOHAMMAD S. RAHMAN †  
PETER A. BALNAVE, Ph.D.  
LAWRENCE A. SCOTT †  
FREDRIC J. ZIMMERMAN †  
JAMES E. HOWARD †  
CHRISTOPHER M. MCGINN\*  
† Other Than Virginia Bar Member  
\* Patent Engineer (Non-attorney)

March 27, 2002

Assistant Commissioner of Patents  
Box CN,  
Washington, D.C. 20231

**VIA FACSIMILE & HAND DELIVERED**

**NOTICE OF CHANGE OF ADDRESS**

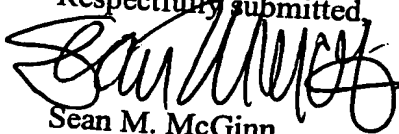
Re: Fourth Request  
Address Correction  
Customer No. 21254

Sir:

Further to our previous requests, Please again correct the mailing address for the above-identified customer number as follows:

McGINN & GIBB, PLLC  
8321 OLD COURTHOUSE RD.  
SUITE 200  
VIENNA, VA 22182-3817  
(703) 761-4100  
Customer No.: 21254

Respectfully submitted,



Sean M. McGinn  
Registration No. 34,386

Please type a plus sign (+) inside this box →



PTO/SB/124A (08-00)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## Request for Customer Number Data Change

### Address to:

Assistant Commissioner for Patents  
Box CN  
Washington, DC 20231

To the Commissioner of Patents and Trademarks:  
Please record the following data changes to Customer Number:

Type Customer Number here

21254



021254

PATENT/006111 MARK OFFICE

☒ Please change Correspondence Address to:

Firm or  
Individual  
Name

McGinn & Gibb, PLLC

Address

8321 Old Courthouse Road

Address

Suite 200

City

Vienna

State

VA

ZIP

22182-3817

Country

USA

Telephone

(703) 761-4100

Fax

(703) 761-4100

☐ Please delete the following practitioner registration number(s) from the Customer Number indicated above:

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

☐ Please add the following practitioner registration number(s) to the Customer Number indicated above:

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  |  |
|  |  |  |  |  |

☐ Additional practitioner registration numbers are listed on supplemental sheet(s) attached hereto

### Request Submitted by:

Firm Name (if applicable)

McGinn & Gibb, PLLC

Name of Person  
submitting request

Sean M. McGinn

Signature

Telephone Number

(703) 761-4100

Date

3/27/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CN, Washington, DC 20231.

TRANSMISSION VERIFICATION REPORT

TIME : 03/26/2002 15:15  
NAME :  
FAX :  
TEL :

DATE, TIME  
FAX NO./NAME  
DURATION  
PAGE(S)  
RESULT  
MODE

03/26 15:14  
7033082840  
00:00:34  
02  
OK  
STANDARD  
ECM



SMM/BKS

Attorney's Post Card Filing Receipt  
Serial Number: (Various) Papers Filed On: 12/4/03

Attorney's Docket Number: \_\_\_\_\_ ☐ Patent ☐ Trademark

Applicant's Name: \_\_\_\_\_ Application Filing Date: 1/1/

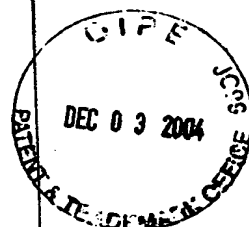
Papers Filed Herewith:

- ☐ Amendment ☐ Request for Extension of Time ☐ CPA Request  
☐ Notice of Appeal ☐ Appeal Brief (in triplicate) ☐ Reply Brief  
☐ IDS ☐ 1449 Form w/ \_\_\_\_\_ Documents ☐ Priority Document(s)  
☐ Assignment ☐ Recordation Cover Sheet ☐ Formal Drawings  
☐ Drawing Corrections ☐ Issue Fee Transmittal ☐ Missing Parts

☒ Other Correspondence Address Indication Form (89 pages)

Fees Filed Herewith: \$ \_\_\_\_\_ ☐ Check ☐ Charge Deposit Account: \_\_\_\_\_

Hand Delivered



SMM/BKS

Attorney's Post Card Filing Receipt  
Serial Number: (Various) Papers Filed On: 12/4/03

Attorney's Docket Number: \_\_\_\_\_ ☐ Patent ☐ Trademark

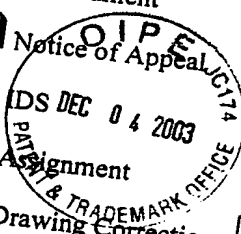
Applicant's Name: \_\_\_\_\_ Application Filing Date: 1/1/  
Papers Filed Herewith:

- ☐ Amendment ☐ Request for Extension of Time ☐ CPA Request  
☐ Notice of Appeal ☐ Appeal Brief (in triplicate) ☐ Reply Brief  
☐ IDS ☐ 1449 Form w/ \_\_\_\_\_ Documents ☐ Priority Document(s)  
☐ Assignment ☐ Recordation Cover Sheet ☐ Formal Drawings  
☐ Drawing Corrections ☐ Issue Fee Transmittal ☐ Missing Parts

☒ Other Correspondence Address Indication Form (89 pages)

Fees Filed Herewith: \$ \_\_\_\_\_ ☐ Check ☐ Charge Deposit Account: \_\_\_\_\_

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Please type a plus sign (+) inside this box →



PTO/SB/121 (05-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## CORRESPONDENCE ADDRESS INDICATION FORM

**Address to:**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Please recognize the following address as the correspondence address:

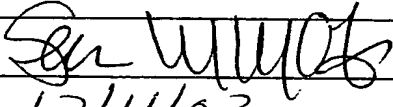
☒ Customer Number

OR *Type Customer Number here*

☐ Request for Customer Number (PTO/SB/125) submitted herewith.

In the following listed application(s) or patent(s) :

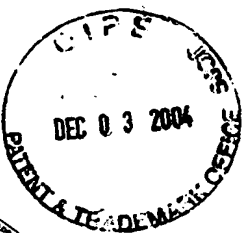
| Patent Number<br>(if appropriate) | Application Number | Patent Date<br>(if appropriate) | U.S. Filing<br>Date |
|-----------------------------------|--------------------|---------------------------------|---------------------|
|                                   | 10/188,979         |                                 | July 5, 2002        |
|                                   | 10/225,125         |                                 | August 22, 2002     |
|                                   | 10/276,405         |                                 | November 15, 2002   |
|                                   | 10/296,284         |                                 | November 22, 2002   |
|                                   | 10/321,657         |                                 | December 18, 2002   |
|                                   | 10/377,886         |                                 | March 4, 2003       |
|                                   | 10/408,445         |                                 | April 8, 2003       |
|                                   | 10/442,140         |                                 | May 21, 2003        |
|                                   | 10/454,490         |                                 | June 5, 2003        |
|                                   | 10/471,613         |                                 | September 12, 2003  |
|                                   | 09/574,453         |                                 | May 19, 2000        |
|                                   | 09/624,916         |                                 | July 24, 2000       |
|                                   | 09/695,867         |                                 | October 26, 2000    |
|                                   | 09/753,576         |                                 | January 4, 2001     |
|                                   | 09/769,381         |                                 | January 26, 2001    |

|  |   |  |
|--|---|--|
| Typed or<br>Printed Name   | Sean M. McGinn, Esq., McGinn & Gibb, PLLC   | <b>(check one)</b><br><input type="checkbox"/> Applicant or Patentee<br><input type="checkbox"/> Assignee of record of the entire<br>interest. Statement under<br>37 CFR 3.73(b) is enclosed.<br>(Form PTO/SB/96)<br><input checked="" type="checkbox"/> Attorney or Agent of record<br><br>34,386<br>(Reg. No.) |
| Signature  |  |  |
| Date   | 12/4/03   |  |
| Address of signer:<br>8321 Old Courthouse Road, Suite 200, Vienna, VA 22182-3817 |   |  |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below \*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



RECEIVED

NOV 03 2000

Page 1 of 1



UNITED STATES PATENT AND TRADEMARK OFFICE  
**MCGINN & GIBB, P.C.**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

**CUSTOMER  
NUMBER:** 21254  
**CORRESPONDENCE  
ADDRESS:**

MCGINN & GIBB, PLLC  
8321 OLD COURTHOUSE ROAD  
SUITE 200  
VIENNA, VA 22182

**FAX:** 703-761-2375  
**E-MAIL:** -

**PHONE:** 703-761-4100

Date Mailed: 10/25/2000

### NOTICE OF CUSTOMER NUMBER RECORD CHANGE

The request to change the information associated with the above-identified Customer Number has been accepted by the Commissioner of Patents and Trademarks.

The Customer Number may be used to identify the correspondence address or "fee address" for, and/or the appointed practitioner(s) in, a United States patent application or patent. The correspondence address and registration numbers indicated on this notice reflect the current correspondence address and registration numbers associated with the above-identified Customer Number.

#### PRACTITIONER REGISTRATION NUMBER(S) ASSIGNED TO THAT CUSTOMER NUMBER:

34386, 37629.

[REDACTED]

Patents Electronic Business Center  
(703) 305-3028

PART 1 - ATTORNEY/APPLICANT COPY



**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

**CUSTOMER  
NUMBER:** 21254

**CORRESPONDENCE  
ADDRESS:**

MCGINN & GIBB, PLLC  
8321 OLD COURTHOUSE ROAD  
SUITE 200  
VIENNA, VA 22182-3817

**RECEIVED**

NOV 27 2001

**McGINN & GIBB, P.C.**

**FAX:** 703-761-2375

**PHONE:** 703-761-4100

**E-MAIL:**

Date Mailed: 11/16/2001

**NOTICE OF CUSTOMER NUMBER RECORD CHANGE**

The request to change the information associated with the above-identified Customer Number has been accepted by the Commissioner of Patents and Trademarks.

The Customer Number may be used to identify the correspondence address or "fee address" for, and/or the appointed practitioner(s) in, a United States patent application or patent. The correspondence address and registration numbers indicated on this notice reflect the current correspondence address and registration numbers associated with the above-identified Customer Number.

**PRACTITIONER REGISTRATION NUMBER(S) ASSIGNED TO THAT CUSTOMER NUMBER:**

34386, 37629.

*J.J.*

Patents Electronic Business Center  
(703) 305-3028

**PART 1 - ATTORNEY/APPLICANT COPY**

US POSTAL SERVICE - CHANGE OF ADDRESS ORDER - PS Form 3575-WWW  
[Postmasters, CFS managers, Carriers: Authorized for Official Use -- DMM Issue 51, 0

## OFFICIAL USE ONLY

Zone / Route ID No. \_\_\_\_\_

Date Entered on Form 3982 \_\_\_\_/\_\_\_\_/\_\_\_\_

Expiration Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Carrier/Clerk Endorsement \_\_\_\_\_

Change of Address for: **Business**

Date to Begin Forwarding Mail: 10/8/2003

Is This Move Temporary?: **No**

Business Name: McGinn Gibb PLLC

## OLD ADDRESS

Urbanization Name : 'N/A'

Mailing Address : 1701 CLARENDON BLVD STE 100

City, State, ZIP+4 : ARLINGTON VA 22209-2700

## NEW ADDRESS

Urbanization Name : 'N/A'

Mailing Address : 8321 OLD COURTHOUSE RD STE 200

City, State, ZIP+4: VIENNA VA 22182-3817

Signature of person who PREPARED this form: \_\_\_\_\_

Date Signed : 10/8/03

Name of Preparer : MS Annette B Skaltsounis

Daytime Phone : N/A Evening Phone : N/A

Email Address : N/A

## OFFICIAL USE ONLY

Verification Endorsement [ \_\_\_\_\_ ]

\*\*\*Give this form to your letter carrier or mail it to the address below:\*\*\*

## CHANGE OF ADDRESS ORDER

ATTN: CARRIER ROUTE # C018

UNITED STATES POSTAL SERVICE

1101 WILSON BLVD STE 1

ARLINGTON VA 22209-9998

**NOTE:** The person signing this form states that he or she is the person, executor, guardian, authorized officer, or agent of the person for whom mail would be forwarded under this order. Anyone submitting false or inaccurate information on this form is subject to punishment by fine or imprisonment or both under Sections 2, 1001, 1702 and 1708 of Title 18, United States Code.

**PRIVACY ACT:** Filing this form is voluntary, but your mail cannot be forwarded without an order. If filed, your new permanent address will be provided to individuals and companies who request it. This will occur *only* when the requestor is already in possession of your name and old mailing address. Use Form 3576 to tell correspondents and publishers of address changes. Authorized 39 U.S.C. 404.

After printing this form, click Exit to return to MoversGuide. Exit



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Koji NAKAMURA, et al.

Serial No.: 09/624,916

Group Art Unit: 2624

Filed: July 24, 2000

Examiner: Tran, Douglas Q.

For: IMAGE INPUTTING AND OUTPUTTING APPARATUS

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450

**DECLARATION OF MARY C. GIBB**

Sir:

I, Mary C. Gibb, hereby declare as follows:

1. I am Manager of the Docketing Department of the law firm of McGinn & Gibb, PLLC.
2. My duties as Manager of the Docketing Department require me to be intimately familiar with how the firm handles the mail, facsimile, and courier packages which arrive at McGinn & Gibb, PLLC.
3. Each business day (Monday-Friday), McGinn & Gibb, PLLC, receives a large volume of correspondence from the U.S. Patent and Trademark Office (PTO). That correspondence relates to patent and trademark applications being handled by McGinn & Gibb, PLLC, and includes Office Actions. Generally, since McGinn & Gibb, PLLC, is located in Vienna, Virginia, PTO correspondence is received by the law firm within one or two business days after the PTO mailing date, although sometimes it takes longer. All mail is

received in the Docketing Department, including PTO correspondence. The PTO correspondence is handled as follows.

4. An individual employed in the Docketing Department of McGinn & Gibb, PLLC, receives all pieces of PTO correspondence before they are opened. That same individual opens each piece of correspondence from the PTO one at a time.

5. As the PTO correspondence is opened, an entry is made by that same individual by hand, in a docket book, for each such piece of correspondence requiring a response to be provided to the PTO by a certain due date. For example, an Office Action must be answered within the response time specified therein (within one, two or three months of the mailing date), and so an entry would be made in the docket book on a due date for the required period of time for the Office Action and also six months after the mailing date of the Office Action (the non-extendable date). Attached as Exhibit A to my Declaration are copies of the pages of the docket book for items having a due date of February 20, 2004, March 20, 2004, and April 20, 2004 (one, two and three months from the alleged mailing date of the Restarted Response Date for Office Action), as well as that of July 20, 2004 (six months, the last and non-extendable date). As can be seen from Exhibit A, there is no entry for the above-identified application, indicating that the Office Action in question was never received by McGinn & Gibb, PLLC.

6. Once the PTO Office Action received on a given date has been manually entered in the docket book as above described, the appropriate file for the PTO Office Action is pulled and matched up to that Office Action. The appropriate file and the PTO Office

Action is then given to the secretary to the attorney responsible for handling the file. The secretary then enters the PTO Office Action and the response due date in the secretary's docket book and on the front cover of the application file jacket.

7. On a weekly basis, a docket of cases due that week and the pertinent response due dates is given to each attorney and staff employee at McGinn & Gibb, PLLC. This docket is then double-checked with the docket maintained by the secretary. I have reviewed these docket lists, and there is no entry for the above-identified application. Attached as Exhibit B to my Declaration are copies of the lists of the submitted cases due the weeks of February 15-21, 2004, March 14-20, 2004, April 18-24, 2004, and July 18-24, 2004. As can be seen from Exhibit B, there is no entry relating to a PTO mailing of an Office Action in connection with the above-identified application.

8. Further, Exhibit C is a copy of the front cover of the file jacket of the subject application. It should be noted that the file jacket front cover shows the chronological sequence of correspondence between the law firm and the PTO. The left side of the front cover is filled in by the Attorney's secretary as Actions are received and docketed. The right side is filled in by the Attorney's secretary as the Actions are completed. As shown, there is no evidence showing an Office Action was ever received.

9. Based on my review of Exhibits A-C, and on my personal knowledge of the procedures followed by McGinn & Gibb, PLLC, in the Docketing Department for handling PTO Office Actions, I conclude that no Office Action was received by McGinn & Gibb, PLLC, for the above-identified application.



Docket No. FJ-2000-009-US  
Application Serial No. 09/624,916  
MAS.002

4

10. To date, the Notice of Abandonment allegedly mailed on October 19, 2004, has not been received by McGinn & Gibb, PLLC.

Further Declarant saith not.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: December 3, 2004

Mary C. Gibb  
Mary C. Gibb  
Manager, Docketing Department

**McGinn & Gibb, PLLC**  
8321 Old Courthouse Rd., Suite 200  
Vienna, VA 22182-3817  
(703) 761-4100  
**Customer No. 21254**

|   |                            |              |
|---|----------------------------|--------------|
| REC 11/20 YOR 193                             | FINAL (1 Day)              | SMITH        |
| REC 11/27 WAK 065                             | FINAL (1 Day)              | PEM          |
| REC 11/30 FOT 17 048                          | FINAL (1 Day)              | PEM          |
| 11/20 WAK 080                                 | RESP. (1 Day)              | JEH          |
| 2/19 + MAR 052                                | Response                   | DMD<br>SMITH |
| 2/20 + ORL 028                                | Response                   | JFD SMITH    |
| 2/19 + WAK 063 DWI                            | Response                   | FTZ          |
| 2/20 + YOR 213                                | Response                   | FEC SMITH    |
| 2/20 + FUK 015                                | EF + pub. Fee + dwgs 10/11 | FEC          |
| 2/11 NGB 139                                  | -IX                        | PEM          |
| PA not IDS<br>to be filed<br>3/11<br>1007-037 | IDS                        | SMITH        |

MARCH

20

SATURDAY

2004 80th day - 286 days follow  
Spring begins

1/28 ~~FUT-054~~

~~Missing Reg.~~

Smm

3/22 ~~UNT-821~~

~~Appeal Brief~~

per

2/3 ~~NLB 331~~

~~Alamp~~

Smm

2/3 ~~NLB 330~~

~~Alamp~~

Smm

2/3 ~~MAS-019~~

~~Preliminary Amend~~

Smm

3/2 ~~MAS-002~~

~~Response (Lmo)~~

Smm

|                     |                                  |         |
|---------------------|----------------------------------|---------|
| 7/28/03 YOR 466     | <del>BAR DATE</del>              | PEAN    |
| 2/11 NAB 139        | <del>Resp (L day)</del>          | Smm     |
| 4/3 I DEN 001 cont. | <del>Resp. (L day)</del>         | JND     |
| 4/9 + FUK 026       | <del>I F + pub fee (L day)</del> | JFH     |
| 4/20 + KUD 026      | <del>Response</del>              | PEM JFH |
| 3/19 HAM 057        | <del>IDS</del>                   | Smm     |
| 4/20 + IWA 003      | <del>I F + pub. fee</del>        | Smm     |
| 5/3 + KOB 018       | <del>I F + pub. fee</del>        | JFH     |
| 4/26 ✓ + YOR 210    | <del>Issue fee</del>             | FEC     |
| 4/5 WAK 099         | <del>Response (2 mo.)</del>      | Smm     |
| 4/20 + FUK 014      | <del>IDS trans</del>             | Smm     |
| ✓ ext + HIR 087     | IDS 3mo MMP?                     | SM      |
| 4/20 + YOR 517      | New App (bar date?)              | FEC     |

## ISSUE DATE:

6, 723, 147 - PEM NAB 055 +

6, 724, 101 - FEC NAB 053 +

6, 724, 449 - PEM - YOR 143 +

6, 724, 905 - FJ2 HAR 015 +

6, 723, 626 - FJ2 KUD 058 +

|                             |                      |           |
|-----------------------------|----------------------|-----------|
| 1/8 <del>FUT.059</del>      | Miss Reg. (Last Day) | SN        |
| 4/20 <del>LUB.026</del>     | Resp (L Day)         | JEH       |
| 2/3 <del>NGB.331</del>      | NOMP (L Day)         | Smm       |
| 2/3 <del>NGB.330</del>      | NOMP (L Day)         | Smm       |
| 4/20 <del>OR.174</del>      | FINAC (3mo.)         | FEC       |
| 4/20 <del>TAK.092</del>     | FINAC (3mo.)         | JND       |
| ✓ XALM.038 and 6/21         | FINAC (3mo.)         | JTD       |
| ✓ TYOR.312 ad 7/15          | FINAC (3mo.)         | PEM       |
| ✓ + FUT.019                 | FINAC (3mo.)         | PEM       |
| 7/20 + NGB.243              | Response             | FJZ       |
| 7/14 + NGB.157              | I. Fee (L Day)       | JTD       |
| 7/20 + NGB.258              | Response             | SMI - Smm |
| ✓ ext + LEN.006             | Response             | JND       |
| 1/10 + WAC.068 DLV          | Issue Fee            | FJZ       |
| 6/29 <del>YOR.165 DLV</del> | If holding           | Smm       |
| 6/16 <del>NGB.370</del>     | NOMP                 | Smm       |
| ✓ XHIR.087                  | IDS (NOMP?)          | Smm       |

# DOCKET

## February 15-21, 2004

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| <u>DUE DATE</u>    | <u>FILE</u> | <u>COMMENTS</u>             | <u>ATTY</u>           |
|--------------------|-------------|-----------------------------|-----------------------|
| Sunday, 2/15/04    | HAR.016     | Response (2 mo.)            | PAB                   |
| Monday, 2/16/04    | KAT.045     | IDS (3 mo. NOMP recd?)      | SMM                   |
|                    | NGB.294     | IDS 1 X (3 mo. NOMP recd?)  | SMM                   |
|                    | ORI.058     | 1 X                         | SMM                   |
|                    | MAR.019     | IF                          | JEH                   |
| Tuesday, 2/17/04   | HAR.021     | Response                    | SMM                   |
|                    | NEC.200     | IDS                         | SMM                   |
|                    | ORI.048     | IDS                         | SMM                   |
|                    | TAK.041     | IF & Drawings               | SMM                   |
|                    | YOR.072     | Final (2 mo.)               | SMM                   |
|                    | NGB.076     | Final (4 mo. - amended 1/7) | PEM                   |
|                    | NGB.182     | Final (3 mo.)               | PEM                   |
|                    | YOR.393     | Final (2 mo.)               | PEM                   |
|                    | YOR.057     | Final (2 mo.)               | FEC                   |
|                    | NGB.187     | Response                    | PAB                   |
|                    | RYU.008     | Response                    | JEH                   |
| <i>Issue Date:</i> | FUJI.030    | 6,693,303 SMM               | NGB.231 6,694,119 JEH |
|                    | KUD.037     | 6,693,682 SMM               | YAS.031 6,694,414 JEH |
|                    | NGB.070     | 6,692,152 SMM               |                       |
| Wednesday, 2/18/04 | NEC.212     | IDS                         | SMM                   |
|                    | NGB.077     | IF (Drawings?)              | SMM                   |
|                    | NUV.005     | Final (3 mo.)               | SMM                   |
|                    | SAI.029     | Response                    | PEM                   |
|                    | MAR.040     | Final (3 mo. amended 2/6)   | FEC                   |
|                    | NGB.147     | Response                    | FEC                   |

| <u>DUE DATE</u>   | <u>FILE</u> | <u>COMMENTS</u>                 | <u>ATTY</u> |
|-------------------|-------------|---------------------------------|-------------|
|                   | FUJIT.037   | IF (last day)                   | PAB         |
|                   | GOT.059     | Final (3 mo.)                   | JEH         |
|                   | YAM.039     | Final (3 mo.)                   | FJZ         |
|                   | NGB.117     | Response                        | JND         |
| Thursday, 2/19/04 | YOR.082     | Final (3 mo. amended 1/19 & 21) | PEM         |
|                   | YOR.468     | NOMP                            | PEM         |
|                   | FUJIT.023   | Response                        | FEC         |
|                   | EDU.174     | ??                              | JND         |
| Friday, 2/20/04   | ORI.028     | Response                        | SMM         |
|                   | YOR.213     | Response                        | SMM         |
|                   | WAK.065     | Final (last day)                | PEM         |
|                   | FUK.015     | IF & drawings                   | FEC         |
|                   | WAK.063DIV  | Response                        | FJZ         |
|                   | MAR.052     | Response                        | JND         |
| Saturday, 2/21/04 | KUD.038     | Response                        | SMM         |
|                   | TAK.044     | Response (1 mo.)                | SMM         |
|                   | YOR.345PCT  | 20 mo.                          | SMM         |
|                   | BUR.095     | Response                        | FEC         |
|                   | WAK.097     | Final (3 mo. amended 2/10)      | PAB         |
|                   | ONO.005     | Response (1 mo.)                | JND         |

# DOCKET

## March 14-20, 2004

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| <u>DUE DATE</u>  | <u>FILE</u>  | <u>COMMENTS</u>           | <u>ATTY</u> |
|------------------|--------------|---------------------------|-------------|
| Sunday, 3/14/04  |              |                           |             |
| Monday, 3/15/04  | FUK.017DIV   | IF (drawings? - last day) | SMM         |
|                  | NGB.194      | IF                        | SMM         |
|                  | NGB.328      | IDS                       | SMM         |
|                  | DEC.011      | Revive abandoned case     | PEM         |
|                  | FUJIT.036DIV | IDS                       | PEM         |
|                  | HIR.057      | IDS                       | PEM         |
|                  | HIR.027      | Response                  | FEC         |
|                  | MAT.007      | Correct omitted papers    | FEC         |
|                  | AMA.034      | IF                        | JEH         |
|                  | MAR.055      | IF                        | JEH         |
|                  | FUS.053      | Response                  | JJD         |
|                  | NGB.228      | Response                  | JJD         |
| Tuesday, 3/16/04 | HAR.022      | IDS                       | SMM         |
|                  | KAT.045      | IDS (5 mo. NOMP?)         | SMM         |
|                  | NEC.142      | Response                  | SMM         |
|                  | NGB.294      | IDS (4 mo. NOMP?)         | SMM         |
|                  | NEC.263      | IDS                       | PEM         |
|                  | YOR.343      | IDS for appealed case     | PEM         |
|                  | NGB.053      | IF (last day)             | FEC         |
|                  | NGB.109      | IF                        | JEH         |
|                  | SHI.030      | IF                        | FJZ         |
|                  | YAM.050      | IF                        | FJZ         |
|                  | ONO.011      | IF (last day)             | JND         |
|                  | ONO.016      | Final (3 mo.)             | JND         |



| <u>DUE DATE</u>    | <u>FILE</u>       | <u>COMMENTS</u>            | <u>ATTY</u> |
|--------------------|-------------------|----------------------------|-------------|
| <i>Issue Date:</i> | GOT.031 6,707,575 | JEH NGB.063 6,707,445      | JEH         |
| Wednesday, 3/17/04 | FUJIT.045DIV2     | IF                         | SMM         |
|                    | GOT.054           | IDS translation            | SMM         |
|                    | HAR.021           | 1 X                        | SMM         |
|                    | HIG.007           | IF                         | SMM         |
|                    | HIR.061           | IF (last day)              | SMM         |
|                    | NEC.136DIV        | Final (3 mo.)              | SMM         |
|                    | NEC.200           | IDS translation            | SMM         |
|                    | NEC.262           | IF                         | SMM         |
|                    | NGB.344           | IDS (3 mo. NOMP?)          | SMM         |
|                    | FUJIT.011         | Response                   | PEM         |
|                    | NGB.142           | Final (3 mo.)              | PEM         |
|                    | NGB.182           | Final (4 mo. amended 2/17) | PEM         |
|                    | YOR.393           | Final (3 mo.)              | PEM         |
|                    | YOR.057           | Final (3 mo. amended 2/17) | FEC         |
|                    | YOR.072           | Final (3 mo. amended 2/23) | FEC         |
|                    | FUJIT.033         | IF (last day)              | PAB         |
|                    | WAK.095           | Final (3 mo. amended 2/12) | PAB         |
|                    | HIT.004           | Response                   | JEH         |
|                    | MAR.019           | IF                         | JEH         |
|                    | RYU.008           | 1 X                        | JEH         |
|                    | ONO.008           | Response                   | JND         |
|                    | ALM.035           | Response                   | JJD         |
| Thursday, 3/18/04  | NGB.259           | Response (1 mo.)           | SMM         |
|                    | NGB.346           | IDS (3 mo.)                | SMM         |
|                    | NGB.178           | Final (3 mo. amended 2/27) | PEM         |
|                    | GOT.059           | Final (4 mo. amended 2/18) | JEH         |
|                    | YAM.039           | Final (4 mo. amended 2/17) | FJZ         |
|                    | NGB.117           | 1 X                        | JND         |
| Friday, 3/19/04    | NEC.200           | Response (1 mo.)           | SMM         |
|                    | WAK.055           | Response                   | SMM         |
|                    | MAR.069DIV1       | IF (last day)              | PEM         |
|                    | NEC.215           | IF                         | PEM         |

| <u>DUE DATE</u>   | <u>FILE</u> | <u>COMMENTS</u>           | <u>ATTY</u> |
|-------------------|-------------|---------------------------|-------------|
|                   | YOR.468     | NOMP 1 X                  | PEM         |
|                   | ALM.094     | Response                  | FEC         |
|                   | IKE.007DIV  | IF                        | FEC         |
|                   | YOR.300     | Response                  | FEC         |
|                   | FUJIT.043   | IF                        | PAB         |
|                   | YOR.430     | Response (1 mo.)          | PAB         |
|                   | GOT.056     | Response                  | JEH         |
|                   | KOB.003     | IF                        | JEH         |
|                   | FUS.046     | IF & drawings (last day)  | FJZ         |
|                   | HUB.003     | Affidavit of Use due 5/19 | JND         |
|                   | NGB.112     | Response                  | JND         |
|                   | HIR.066     | Response                  | JJD         |
| Saturday, 3/20/04 | MAS.019     | Prior Art Sub.            | SMM         |
|                   | NIS.062     | Response (1 mo.)          | SMM         |
|                   | UNI.021     | Appeal Brief              | PEM         |

# DOCKET

## April 18-24, 2004

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| <u>DUE DATE</u>    | <u>FILE</u>       | <u>COMMENTS</u>                | <u>ATTY</u>       |     |
|--------------------|-------------------|--------------------------------|-------------------|-----|
| Sunday, 4/18/04    | AMA.025           | Response (1 mo.)               | SMM               |     |
|                    | GOT.059           | Final (5 mo., amended 2/18)    | JEH               |     |
|                    | YOR.384           | Due 7/18                       | JEH               |     |
|                    | NGB.117           | 2 X                            | JND               |     |
| Monday, 4/19/04    | KAT.037           | IDS                            | SMM               |     |
|                    | YOR.082DIV        | Appeal Brief Due               | PEM               |     |
|                    | YOR.431PCT        | Fee Due                        | PEM               |     |
|                    | YOR.468           | NOMP 2 X                       | PEM               |     |
|                    | HUB.003           | Affdvt of Use due 5/19         | JND               |     |
|                    | ONO.003DIV        | IDS                            | JND               |     |
| Tuesday, 4/20/04   | FUK.014           | IDS translation                | SMM               |     |
|                    | HIR.087           | IDS (3 mo. NOMP?)              | SMM               |     |
|                    | IWA.003           | IF                             | SMM               |     |
|                    | KUD.026           | Response                       | PEM               |     |
|                    | YOR.210           | IF                             | FEC               |     |
|                    | YOR.517           | New app. (bar date?)           | FEC               |     |
|                    | FUK.026           | IF (last day)                  | JEH               |     |
|                    | KOB.018           | IF                             | JEH               |     |
| <i>Issue Date:</i> | NGB.055 6,723,147 | PEM                            | HAR.015 6,724,905 | FJZ |
|                    | YOR.143 6,724,449 | PEM                            | KUD.058 6,723,626 | FJZ |
|                    | NGB.053 6,724,101 | FEC                            |                   |     |
| Wednesday, 4/21/04 | GUA.001           | App. from provisional due 8/21 | SMM               |     |
|                    | YOR.261           | Response                       | SMM               |     |
|                    | NGB.177           | Response                       | PEM               |     |

| <u>DUE DATE</u>   | <u>FILE</u>     | <u>COMMENTS</u>                      | <u>ATTY</u> |
|-------------------|-----------------|--------------------------------------|-------------|
|                   | NGB.094         | IF                                   | JEH         |
| Thursday, 4/22/04 | NIS.056         | Response (1 mo.)                     | SMM         |
|                   | DEC.011         | Revive                               | PEM         |
|                   | DEC.032         | Response due 6/22                    | PEM         |
|                   | NEC.220         | Response                             | PEM         |
|                   | FUJI.020        | IF                                   | FEC         |
|                   | MAR.023         | IF (last day)                        | FEC         |
|                   | NGB.161         | Final (3 mo.)                        | PAB         |
| Friday, 4/23/04   | NEC.179         | Response                             | SMM         |
|                   | NGB.126         | Response (1 mo.)                     | SMM         |
|                   | NGB.353         | IDS (3 mo. NOMP?)                    | SMM         |
|                   | SHI.030DIV1 & 2 | IDS (3 mo.)                          | SMM         |
|                   | EBO.010US       | NOMP                                 | PEM         |
|                   | NEC.219         | Response                             | PEM         |
|                   | BUR.038DIV      | Final (4 mo., amended 3/16)          | FEC         |
|                   | MAT.004         | Response                             | FEC         |
|                   | YOR.301         | Final (2 mo.)                        | FEC         |
|                   | NGB.075         | Response                             | JEH         |
|                   | NGB.063DIV      | Response (1 mo.)                     | JEH         |
|                   | YOR.053DIV      | Stmt. of Sub. of Int.                | JEH         |
|                   | YOR.132         | Final (2 mo.)                        | JEH         |
| Saturday, 4/24/04 | DEC.011         | TM due 5/24 (pet to rev? reinstate?) | PEM         |
|                   | YOR.343         | Examiner's Answer                    | PEM         |
|                   | YOR.183         | Appeal Brief                         | JND         |
|                   | FUS.051         | Final (5 mo. amended 2/23)           | JJD         |
|                   | USH.018         | 1 X                                  | JJD         |

# DOCKET

## July 18-24, 2004

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|--------------------|-------------|----------------------------|-------------|
| Sunday, 7/18/04    | NEC.123     | 1 X                        | SMM         |
|                    | NGB.172     | 1 X (Response 1 mo.)       | PEM         |
|                    | YOR.163     | Final (2 mo.)              | JJD         |
| Monday, 7/19/04    | DEC.037     | Response (? X)             | PEM         |
|                    | RYU.004     | Response                   | PEM         |
|                    | WAK.075DIV  | Final (3 mo.)              | FEC         |
|                    | FAI.001     | 1 X                        | JJD         |
|                    | HIR.063     | Response                   | JJD         |
| Tuesday, 7/20/04   | HIR.087     | IDS (NOMP?)                | SMM         |
|                    | FUJI.019    | Final (3 mo.)              | PEM         |
|                    | YOR.312     | Final (3 mo.)              | PEM         |
|                    | NGB.243     | Response                   | FJZ         |
|                    | WAK.063DIV  | IF                         | FJZ         |
|                    | LEN.006     | Response                   | JND         |
|                    | TAK.042     | Final (3 mo.)              | JND         |
|                    | ALM.038     | Final (3 mo. amended 6/21) | JJD         |
|                    | NGB.157     | IF (last day)              | JJD         |
|                    | NGB.258     | Response                   | SMT         |
| Wednesday, 7/21/04 | EBI.017     | IF                         | SMM         |
|                    | GUA.001     | appl. due 8/21/04          | SMM         |
|                    | MAS.008     | Response (1 mo.)           | SMM         |
|                    | NGB.129     | IF                         | SMM         |
|                    | USH.019     | Response                   | SMM         |
|                    | NGB.076     | Response                   | PEM         |

| <u>DUE DATE</u>   | <u>FILE</u> | <u>COMMENTS</u>            | <u>ATTY</u> |
|-------------------|-------------|----------------------------|-------------|
|                   | IGA.026     | Final (3 mo. amended 6/29) | FEC         |
|                   | WAK.072     | Final (3 mo.)              | FEC         |
|                   | YOR.160     | Final (3 mo.)              | FEC         |
|                   | ASH.004     | Final (3 mo.)              | JEH         |
|                   | TAK.037     | Final (3 mo.)              | JEH         |
|                   | KUD.052     | Final (3 mo.)              | JND         |
|                   | NEC.250DIV  | Response                   | JJD         |
|                   | KUD.062     | Response                   | SMT         |
|                   | FMG.001PCT  | File Nat'l. stage          | JPS         |
| Thursday, 7/22/04 | NGB.322     | Response (1 mo.)           | SMM         |
|                   | NGB.399     | IDS (3 mo.)                | SMM         |
|                   | DEC.011     | Revive                     | PEM         |
|                   | FUJI.014    | Response                   | FEC         |
|                   | NEC.173     | 1 X                        | FEC         |
|                   | NGB.063DIV  | IF                         | JEH         |
|                   | EBI.001     | 1 X                        | JJD         |
|                   | NGB.198     | Response                   | JJD         |
|                   | YOR.374     | Appeal Brief due 8/30      | JJD         |
|                   | HIR.058     | Response                   | SMT         |
| Friday, 7/23/04   | CLO.012     | IDS (NOMP?)                | SMM         |
|                   | IWA.009     | IF & drawings              | SMM         |
|                   | IWA.010     | IF & drawings              | SMM         |
|                   | WAK.095     | IF (last day)              | SMM         |
|                   | EBO.010US   | NOMP 3 X                   | PEM         |
|                   | EBO.013     | NOMP PCT 1 X               | PEM         |
|                   | NEC.257     | IF                         | PEM         |
|                   | NGB.115     | Final (3 mo.)              | JEH         |
|                   | YOR.132     | Final (5 mo. amended 4/23) | JEH         |
|                   | ALM.048     | Response                   | JJD         |
|                   | FUJIT.034   | Response                   | JJD         |
|                   | NGB.238     | Response                   | JJD         |

| <u>DUE DATE</u>   | <u>FILE</u> | <u>COMMENTS</u>                   | <u>ATTY</u> |
|-------------------|-------------|-----------------------------------|-------------|
| Saturday, 7/24/04 | NGB.249     | Response (1 mo.)                  | SMM         |
|                   | YOR.393     | Final (4 mo. amended 5/28)        | PEM         |
|                   | YOR.397     | Final (4 mo. amended 5/24 & 6/24) | FEC         |





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